

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:07-CR-65
	)	(Phillips / Shirley)
FERNANDO FRANCES, and	)	
FLOYD E. MYERS	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter is before the Court for consideration of Defendants' Motions to Withdraw Motion to Suppress [Doc. 34 & 35], filed on September 27, 2007.

Defendant Frances' Motion to Withdraw Suppression Motion [Doc. 35] requests this Court to withdraw his Motion to Suppress and Memorandum in Support [Doc. 24 & 25]. In his Motion, Defendant Frances informs this Court he has signed a plea agreement which will be tendered to the Court. Defendant Myers' Notice to Withdraw Pending Motion to Suppress [Doc. 34] also requests this Court to withdraw his Motion to Suppress [Doc. 28].

Therefore, Defendants Frances' and Myers' Motions to Withdraw Motion to Suppress [Doc. 34 & 35] are **GRANTED** and Defendant Frances' Motion to Suppress and Memorandum in Support [Doc. 24 & 25] and Defendant Myers' Motion to Suppress [Doc. 28] are **DENIED as moot**.

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge